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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,069	11/30/2001	Scott Carleton Sanner	7784-000302/CPA	6261

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EXAMINER

HARVEY, JAMES R

ART UNIT PAPER NUMBER

2833

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,069

Applicant(s)

SANNER ET AL.

Examiner

James R. Harvey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6-30-03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-14, 16 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 11-14, 16 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1 & 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Cancellations

- The cancellation of claims 15 and 17 has been made of record.

Information Disclosure Statement

- The Information Disclosure statement(s) and related documents that were filed on and 11-30-01 and 6-30-03 have been considered.

Drawings

-- The amendment filed 6-30-03 indicated that corrected drawings were attached.

However, while formal drawings were contained in the papers, no corrected drawings were found. Clarification or submission of corrected drawings is required.

Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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- Claim(s) 11, 12, 14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Berry et al. (5311302).

-- In reference to claim 11, Berry shows a connector module adapted to be integrated into a mobile platform, adjacent to a seat of the mobile platform for connecting a portable electronic device to a power source and a network located on-board the mobile platform, the connector module comprising:

a housing 14 (figure 2);

at least one networking port 74 disposed in the housing that can be adapted to couple the portable electronic device to the network that can be used for providing network connectivity of the portable electronic device; and

a mechanism 92 (cover sheet) slidably connecting the housing 14 to a structure 84 of the seat.

-- In reference to claims 12 and 16, Berry shows (cover sheet)

the housing 14 can be positioned on the mechanism between one of a stowed position and a deployed position (arrow 93).

-- In reference to claim 14, Berry (cover sheet) shows the mechanism comprises a sliding drawer frame. The meaning of "sliding door frame" is not set forth in the claims and is thus deemed to be so broad that it is met by the applied reference's element 92 that slides up.

Claim Rejections - 35 USC § 103

- The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

** Claims 11, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry in view of Williams, Jr. (6038426).

-- In reference to claims 11, 18, and 20, Berry shows

a connector module 14 (cover sheet) connectably attached to a seat of an aircraft that can be used for providing for connecting a portable electronic device to a power source and a network located on-board the aircraft, the connector module comprising:

a housing 82 slidably connected to a support structure of the seat 84;

at least one networking port (see examiner's figure) disposed in the housing that can be adapted to couple the portable electronic device to the network for providing network connectivity of the portable electronic device;

the housing 82 having a manual pull feature for positioning the housing between one of a stowed position (within the armrest 84, see (cover sheet)) to a deployed position (as shown on the cover sheet) and a deployed position to a stowed position.

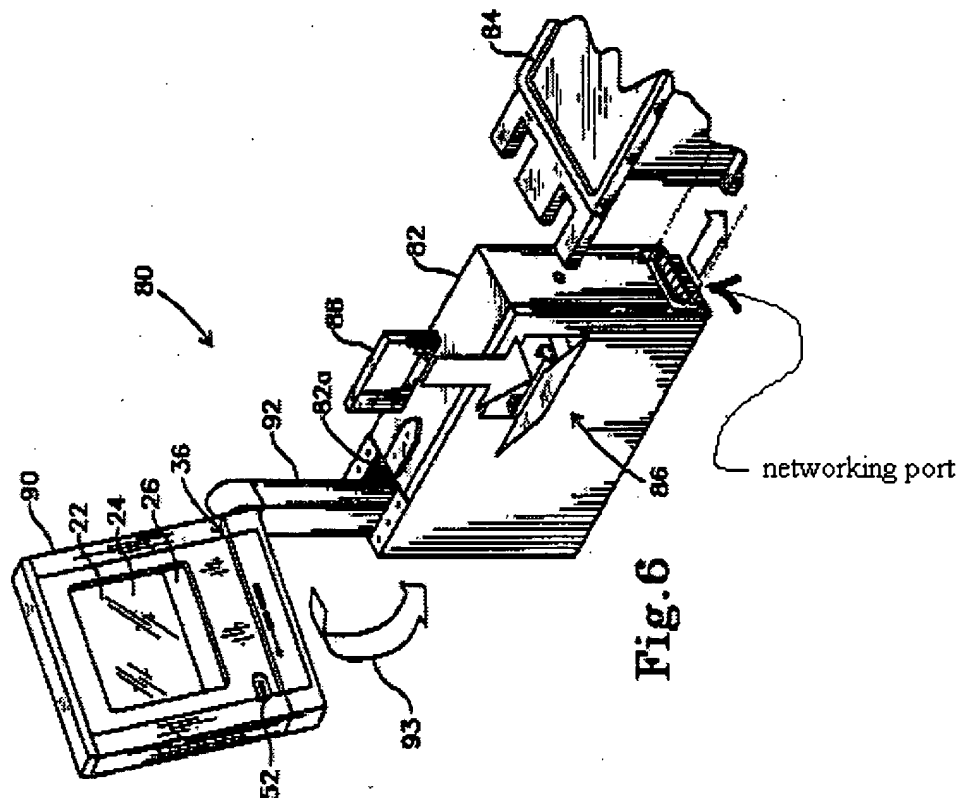
However, Berry does not show the following:

a power port disposed in the housing adapted to receive an AC power cable of the portable electronic device for providing power to the portable electronic device;

a face of the housing for mounting the networking port and the power port; and

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the face of the housing being visible to a user of the seat when the housing is in the deployed position.



Williams shows (figure 5)

a power port 351 disposed in the housing (SEU) that can be adapted to receive an AC power cable (column 5, line 1) of the portable electronic device that can be used for providing power to the portable electronic device;

a face of the housing (adjacent 350 (figure 6) for mounting the networking port and the power port 350; and

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the face of the housing being visible to a user of the seat when the housing is in the deployed position. The limitation "being visible to a user" is a broad term it is so broad that applicant's side 368 (figure 9) is visible to a user and meets the broad limitation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the electronic unit housing of Berry with the seat electronic unit (SEC) of Williams because, as taught by Williams (column 2, lines 48-50), Williams' SEC allows the line-replaceable seat electronic unit to be quickly and easily replaced which helps to avoid flight delays (column 2, lines 20-24).

** Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berry in view of Williams, Jr. (6038426) and further in view of Francis (6315618).

-- In reference to claims 19 and 21, Berry in view of Williams shows the at least one networking port comprises at least one of a universal serial bus port (column 5, line 24).

However, Berry or Williams do not show a RJ-45 port and a 15 volt DC power connector. Williams teaches an RJ-11 (column 3, line 69).

Francis teaches that the RJ-11 connector shown by Williams could be a RJ-45 (column 5, lines 1-10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the RJ-11 connector of Williams with a RJ-45 because, as taught by Francis (column 5, lines 1-10), platforms can vary to accommodate different types of RJ connectors.

Further, neither Berry, Williams, or Francis specifically teach a 15 volt DC power connector. Williams only teaches a 12 volt (column 5, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to change Williams' connector from a connector intended for using 12 volts to a connector that uses 15 volts, since it has been held a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Response to Applicant's Remarks

-- In response to applicant's argument (page 9, 14) concerning that numeral 14 of Berry is described in Berry text as a terminal and does not meet applicant's claim limitation housing, the examiner disagrees. References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA) 1969. In this case, figure 2 is seen to be a detail showing the other elements associated with Berry's elements 22, 24, and 26 shown broadly in figure 1. Although figure 6 is characterized as another embodiment of Berry's invention, figure 6 does not have to show the detail of figure 2 to receive patent protection for the patented invention. All the embodiments contain "interactive video entertainment and data management system" and ports 74 and 35 are part of those systems.

-- In response to applicant's argument (page 11, line 12) concerning applicant's assertion that Berry does not teach a housing [being] slidably connected to a support structure of the seat, the examiner disagrees. Berry does show (cover sheet) the housing sliding back and forth with the linkage 92 (support structure). An example of the broad claim language can be associated with a manual transmission automobile. The clutch peddle slides in a rotational direction back and

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forth about the pivot point and while it does not come into physical contact with the transmission, it is slidably connected to the transmission through the linkage in the same manner as linkage 92 slides into linkage 82 and linkage 82 slides into the seat structure 84.

-- In response to applicant's argument (page 12, lines 7-10) concerning that claim 18 and 20 are allowable because neither Berry or Williams show a housing being slidably connected to a structure of the seat, the examiner disagrees. Applicant's arguments are based upon applicant's assertion that Berry does not show a housing being slidably connected to a structure of the seat. However, Berry does show (cover sheet) the housing sliding back and forth with the linkage 92 (support structure). An example of the broad claim language can be associated with a manual transmission automobile. The clutch peddle rotationally slides back and forth about the pivot point and while it does not come into physical contact with the transmission, it is slidably connected to the transmission through the linkage in the same manner as linkage 92 slides into linkage 82 and linkage 82 slides into the seat structure 84.

Allowable Subject Matter

1. Claim 13 has been previously indicated as having allowable subject matter and independent claim 22 is allowed because it includes the limitations of claim 13's base claim and any intervening claims together with the limitation of claim 13.

Conclusion

- **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Harvey whose telephone number is 703-305-0958. The examiner can normally be reached on 8:00 A.M. To 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 703-308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0952.

James R. Harvey, Examiner

jrh
August 29, 2003



**THO D. TA
PRIMARY EXAMINER**